

# WASTE NEWS

## Oakland targets restaurant litter with PS ban

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The Oakland, Calif., City Council has voted to ban polystyrene foam food service products in the city and to fine restaurants and fast food joints, which feel unfairly targeted, that ignore the ordinance.

The council voted 7-1 late last month to pass the ordinance, which is similar to proposals passed in Berkeley, Calif., and Portland, Ore., said Jean Quan, the Oakland councilwoman who introduced the ordinance.

Vendors must transition from polystyrene foam products to biodegradable food service items by Jan. 1 if the alternatives are priced the same or less. The city will warn restaurants that violate the ordinance and fine them \$500 for additional offenses. It will rely on customer complaints to enforce the rule.

The measure follows another ordinance passed less than four months ago that imposed a litter tax on fast food and convenience stores to fund litter cleanup.

“Here we are, just a few months later, and they're again attacking restaurants to clean up litter in the city of Oakland,” said Johnnie Foster-Davis, local government affairs director for the California Restaurant Association. “Oakland is just finding scapegoats to handle their litter problem.”

A California Department of Transportation study found polystyrene foam represented 15 percent of the litter recovered from storm drains during 1998 to 2000.

Quan cited this as one of the primary reasons for drafting the law.

But banning polystyrene foam products is not an effective long-term solution to curb litter, Foster-Davis said.

“The bottom line is, if it wasn't in the waterways, if it wasn't on the streets, we wouldn't be talking about it,” she said.

And the issue simply isn't economic, Foster-Davis said. Paper products and biodegradable food service items don't perform as well with regards health and safety as polystyrene, she said.

“Although polystyrene is probably the most affordable product out there, it really is the most superior product out there in maintaining proper food temperature,” she said.

Mayor Jerry Brown likely will sign the ordinance, although he could ask City Council to reconsider the proposal, which is very unlikely, Foster-Davis said.

“I think it's pretty much a done deal,” she said.

Instead, the restaurant association is focused on working with the city to make the ordinance as less of a burden as possible on its operators. It is engaging the city to provide outreach and education to restaurants so they know what they must do to comply and clear up ambiguities in the ordinance, Foster-Davis said.